

AMENDED IN ASSEMBLY APRIL 5, 2010

CALIFORNIA LEGISLATURE—2009—10 REGULAR SESSION

ASSEMBLY BILL

No. 1854

Introduced by Assembly Member Ammiano

February 12, 2010

~~An act to amend Section 5840.2 of the Welfare and Institutions Code, relating to mental health. An act to add Section 48204.1 to the Education Code, relating to school attendance.~~

LEGISLATIVE COUNSEL'S DIGEST

AB 1854, as amended, Ammiano. ~~Mental Health Services Act. School attendance: residency requirements.~~

Existing law requires a person between 6 and 18 years of age not otherwise exempted to attend the public full-time day school or continuation school or classes in the school district where the person's parent or legal guardian is located. Existing law provides various exceptions to this residency requirement, including, but not limited to, authorizing a pupil to attend school in a school district in which his or her parent or guardian is employed.

This bill would authorize a school district to accept a wide range of documents and representations from the parent or guardian of a pupil as reasonable evidence that the pupil meets the residency requirements set forth in these provisions. The bill would provide that reasonable evidence may be established by certain documentation, including, but not limited to, property tax payment receipts, rent payment receipts, utility service payment receipts, and a declaration of residency executed by the parent or guardian of the pupil. The bill, if an employee of a school district reasonably believes that the parent or guardian of a pupil has provided false or unreliable evidence of residency, would

authorize a school district to make reasonable efforts to determine that the pupil actually meets the residency requirements.

~~The Mental Health Services Act requires the State Department of Mental Health to contract for the provision of specified services with each county mental health program in a specified manner. That act, an initiative measure, authorizes the Legislature to amend any of its provisions by a $\frac{2}{3}$ vote, so long as the amendments are consistent with and further its intent.~~

~~This bill would make a technical, nonsubstantive change to that law.~~

Vote: $\frac{2}{3}$ -majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 48204.1 is added to the Education Code,
2 to read:
3 48204.1. (a) Any school district may accept a wide range of
4 documents and representations from the parent or guardian of a
5 pupil as reasonable evidence that the pupil meets the residency
6 requirements for school attendance in the school district as set
7 forth in Sections 48200 and 48204. Reasonable evidence of
8 residency may be established by documentation, including, but
9 not limited to, any of the following documentation:
10 (1) Property tax payment receipts.
11 (2) Rent payment receipts.
12 (3) Utility service payment receipts.
13 (4) Declaration of residency executed by the parent or guardian
14 of the pupil.
15 (b) If any employee of a school district reasonably believes that
16 the parent or guardian of a pupil has provided false or unreliable
17 evidence of residency, the school district may make reasonable
18 efforts to determine that the pupil actually meets the residency
19 requirements set forth in Sections 48200 and 48204.
20 SECTION 1. ~~Section 5840.2 of the Welfare and Institutions~~
21 ~~Code is amended to read:~~
22 ~~5840.2. (a) The department shall contract for the provision of~~
23 ~~services pursuant to this part with each county mental health~~
24 ~~program in the manner specified in Section 5897.~~

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